

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	10/051,338	CHAUVIN ET AL.	
	Examiner	Art Unit	
	Robert M. Pond	3625	

All Participants:

Status of Application: Pending

(1) Robert M. Pond.

(3) _____.

(2) Mr. Frank Pincelli, #27,370.

(4) _____.

Date of Interview: 22 May 2007

Time: 3PM EDT

Type of Interview:

Telephonic

Video Conference

Personal (Copy given to: Applicant Applicant's representative)

Exhibit Shown or Demonstrated: Yes No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

None

Claims discussed:

1, 4-10, and 13-19

Prior art documents discussed:

None

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

Reached agreement of allowable subject matter. See attached electronic mail communication from Mr. Pincelli.

Part III.

- It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
- It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Pond, Robert

From: frank.pincelli@kodak.com
Sent: Tuesday, May 22, 2007 2:56 PM
To: Pond, Robert
Subject: RE: Proposed claim language for cased discussed yesterday.

Examiner Pond

Everything looks fine. I agree with the proposed changes. Please feel free to make examiner corrections. If you need anything further from me, please let me know. It has been working with you again.

Frank Pincelli

"Pond, Robert" <Robert.Pond@USPTO.GOV>
To frank.pincelli@kodak.com
cc
05/22/2007 12:12 PM Subject RE: Proposed claim language for cased discussed yesterday.

Mr. Pincelli,
Attached is the proposed language for claim 1, 10 & 19. All have the allowable subject matter. Claim 1 was revised per your changes. Claims 1 and 19 are identical except for preambles. I highlighted in yellow the "s" on "relationships."

Also, claim 1 and 19 have the word "associating" highlighted in yellow. Is it antecedent clear which "association" this refers to (see claims 1 and 19): "communicating with..., wherein said association identifies said business entity that controls said each of said order terminals;" ?

This should take care of the independents. Dependents OK. TD reconsidered and approved-no action required.

Rob Pond
571-272-6760

-----Original Message-----

From: Pond, Robert
Sent: Monday, May 21, 2007 4:35 PM
To: 'frank.pincelli@kodak.com'
Subject: RE: Proposed claim language for cased discussed yesterday.

Mr. Pincelli,
You're welcome and thanks for the prompt response.

Your TD is now approved after reconsideration by our paralegal. I drafted the system claim amendment but need to talk to our business specialist about the software program independent's language (claim 19). I should have it

completed tomorrow and will send for review/approval.

Rob Pond

-----Original Message-----

From: frank.pincelli@kodak.com [mailto:frank.pincelli@kodak.com]

Sent: Monday, May 21, 2007 12:20 PM

To: Pond, Robert

Subject: RE: Proposed claim language for cased discussed yesterday.

Examiner Pond

That would be find. Thanks again for your assistance.

Frank Pincelli

"Pond, Robert" <Robert.Pond@USPTO.GOV>

05/21/2007 10:20 AM

To frank.pincelli@kodak.com

cc

Subject RE: Proposed claim language for cased discussed yesterday.

Mr. Pincelli,

I like it. I'll amend the system and program independents accordingly and forward to you for review/approval.

Rob Pond

571-272-6760

-----Original Message-----

From: frank.pincelli@kodak.com [mailto:frank.pincelli@kodak.com]

Sent: Monday, May 21, 2007 9:45 AM

To: Pond, Robert

Subject: Re: Proposed claim language for cased discussed yesterday.

Examiner Pond

Attached is a revised claim. The change I have made was to structure the claim from the server point of view. That is, the sever transmitting offer to the order terminal. I do not believe my proposed modification changes the substance of your proposal. I appreciate your help in this case

Regards.

Frank

"Pond, Robert" <Robert.Pond@USPTO.GOV>

05/18/2007 10:22 AM

To frank.pincelli@kodak.com

cc
Subject Proposed claim language for cased discussed yesterday.

Hi Mr. Pincelli,

The attached doc has the proposed language. Although your system is intended for other uses, its computing structures, disclosures and independent claims fall within the general e-commerce hub/marketplace/intermediary/centralized/portal site space. Buyers and sellers communicate via the service manager server across a network for commerce purposes. Claims to business relationships are broad and how these relationships are used is broad in the independent claims. Clark (US 6,351,738) and Verchere (US 7127415) are examples of central marketplaces where relationships play a role. Clark discloses protected territories for small businesses coming together via an e-commerce hub/marketplace, seller participants, and seller non-participants who can still participate. Hostile relationships are implied (purpose of protected territories), and cooperative relationships are clearly implied. Amended language highlighted in YELLOW is what is truly new.

The proposed amended claim language to the method claim strengthens/clarifies "association" with respect to "order terminal" and positively recites use of "business relationship" data maintained by the registry as it applies to a business entity's one or more order terminals. Assuming we reach agreement, system (claim 10) and program (claim 19) independent claims will need to be amended with same/similar subject matter used of the method independent (claim 1). The dependents appear to be OK.

The TD entered in late '06 was disapproved. I'm looking into the issue today and will get back with you on this.

Some wrap-up on the search needs to be completed but barring some unforeseen art that hasn't surface yet, I should have this completed early next week.

Welcome back. Hope we can work this out.

Rob Pond
Primary Examiner
571-272-6760

<<Proposed claim amendments 10051338.doc>>

Attachment to e-mail 5/22/07

****DRAFT****

In the Claims

The claims entered 12 March 2007 are amended as follows:

- Delete claim 1 in its entirety and insert therefore:

- -1. A method for ordering digital photo services over a communication network comprising:

maintaining a registry of a plurality of photo service providers and business entities on a server;

associating a selection of offerings of goods and services with respect to each of said plurality of photo service providers;

communicating with a plurality of order terminals over said communications network by said server, each of said order terminals being associated with one of the plurality of business entities, wherein said association identifies said business entity that controls said each of said order terminals;

maintaining information on said server with respect to business relationships between said plurality of photo service providers and said plurality of business entities;

transmitting an offer for said desired good or service on behalf of two or more of said plurality of photo service providers from said server to one of said order terminals, wherein said offer presented at said order terminal is

based on said business relationships between said business entity who controls said order terminal and said plurality of photo service providers; and selecting the desired good or service by a user of said order terminal.- -

- Delete claim 10 in its entirety and insert therefore:

- -10. A system for facilitating ordering [of] digital photo services over a communication network by a user among a plurality of photo service providers from a plurality of order terminals, ~~each of said order terminals being associated with a one of a plurality of business entities~~, comprising:

a control server system for maintaining a registry of a plurality of service providers and business entities, said control server system also maintaining information with respect to business relationships between said plurality of photo service providers and said plurality of business entities, and said control server maintaining offerings of goods and services by said plurality of said service providers;

a plurality of order terminals in communication with said control server over said communication network, each of said order terminals being associated at said control server with [a] one of said plurality of business entities, wherein said association identifies said business entity that controls said each of said order terminals;

a communication device of said control system having a communication device for communicating with said plurality of order terminals over said communication network, each of said order terminals being used by said user

displaying a selection of offerings with respect to two or more of said plurality of service providers based on said business relationships and the selection of a desired goods or services by [a] said user of said order terminal, wherein said selection of offerings displayed at said order terminal is based on said business relationships between said business entity who controls said order terminal and said plurality of photo service providers.--

- Delete claim 19 in its entirety and insert therefore:

- -Claim 19. A computer software program having instructions such when loaded on to a computer said program executes will implement a method for ordering [of] digital photo services over a communication network among a plurality of photo service providers from a plurality of order terminals, ~~each of said order terminals being associated with a one of a plurality of business entities, said program instructions method comprising:~~

<from here below, same as claim 1>

maintaining a registry of a plurality of photo service providers and business entities on a server;

associating a selection of offerings of goods and services with respect to each of said plurality of photo service providers;

communicating with a plurality of order terminals over said communications network by said server, each of said order terminals being associated with one of the plurality of business entities, wherein said

[association] identifies said business entity that controls said each of said order terminals;

maintaining information on said server with respect to business relationships between said plurality of photo service providers and said plurality of business entities;

transmitting an offer for said desired good or service on behalf of two or more of said plurality of photo service providers from said server to one of said order terminals, wherein said offer presented at said order terminal is based on said business relationships between said business entity who controls said order terminal and said plurality of photo service providers; and

selecting the desired good or service by a user of said order terminal.- -

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. (previously presented) A method for ordering of digital photo services over a communication network comprising:
 - maintaining a registry of a plurality of photo service providers and business entities on a server, associating a selection of offerings of goods and services with respect to each of said plurality of photo service providers;
 - providing a plurality of order terminals, each of said order terminals being associated with one of the plurality of business entities, said plurality of order terminals each being capable of communicating over a communication network with said server;
 - maintaining information on said server with respect to business relationships between said plurality of photo service providers and said plurality of business entities; and
 - providing an offering for a desired good or service from two or more of said plurality of service providers from said server at one of said order terminals based on said business relationships stored on said server, and selecting the desired good or service by a user of said order terminal.

~~2.~~ Cancelled

~~3.~~ Cancelled

~~2~~ ~~4.~~ (original) The method according to claim 1 wherein said offering is displayed in a presentation format that is also based on said business relationship.

~~3~~ ~~5.~~ (currently amended) The method according to claim 1 wherein said order terminal comprises one of the following:

- an automated teller machine
- a photo kiosk
- a personal computer

a wireless imaging device.

cell phone

personal digital system

wireless devices

4 6. (original) The method according to claim 1 wherein said plurality of business entities comprises one or more of the following:

a retail store

a manufacturer of an imaging device

an automatic teller machine owner

5 7. (original) The method according to claim 1 wherein said plurality of photo service providers provide one or more of the following services:

printing of digital images;

on-line storage of digital images;

providing digital storage media containing digital images;

providing associated goods and/or services with respect to hard

copy prints.

6 8. (original) The method according to claim 1 wherein said business relationships include friendly, neutral, and hostile relationships.

7 9. (original) The method according to claim 1 wherein said business relationships are maintained in a services directory by a service manager.

8 10. (previously presented) A system for facilitating ordering of digital photo services over a communication network by a user among a plurality of photo service providers from a plurality of order terminals, each of said order terminals being associated with one of a plurality of business entities, comprising:

a control system for maintaining a registry of a plurality of service providers and business entities, said control system also maintaining information with respect to business relationships between said plurality of photo service providers and said plurality of business entities and offerings of goods and

services by said plurality of said service providers, said control system having a communication device for communicating with said plurality of order terminals over said communication network, each of said order terminals being used by said user displaying a selection of offerings with respect to two or more of said plurality of service providers based on said business relationships, and the selection of a desired goods or services by a user of said order terminal.

11. Cancelled

12. Cancelled

9 13. (previously presented) The system according to claim 10⁸ wherein said offering is displayed in a presentation format that is also based on said business relationship.

10 14. (currently amended) The system according to claim 10⁸ wherein said order terminal being used by said user comprises one of the following:

- an automated teller machine
- a photo kiosk
- a personal computer
- a wireless imaging device.

cell phone

personal digital system

wireless devices

11 15. (previously presented) The system according to claim 10⁸ wherein said plurality of business entities comprises one or more of the following:

- a retail store
- a manufacturer of an imaging device
- an automatic teller machine owner.

12 *16.* (previously presented) The system according to claim *10*⁸
wherein said plurality of photo service providers provide one or more of the
following services:

printing of digital images;
on-line storage of digital images;
providing digital storage media containing digital images;
providing associated goods and/or services with respect to hard
copy prints.

13 *17.* (previously presented) The system according to claim *10*⁸
wherein said business relationships include friendly, neutral, and hostile
relationships.

14 *18.* (previously presented) The system according to claim *10*⁸
wherein said business relationships are maintained in a services directory by a
service manager.

15 *19.* (previously presented) A computer software program
having instructions such when loaded on to a computer said program will
implement a method for ordering of digital photo services over a communication
network among a plurality of photo service providers from a plurality of order
terminals, each of said order terminals being associated with a one of a plurality
of business entities, said method comprising:

maintaining a registry of a plurality of service providers and
business entities;

maintaining information with respect to business relationships
between said photo service providers and said plurality of business entities and
offerings of goods and services by said plurality of service providers; and

providing a selection of offerings with respect to two or more of
said plurality of service providers at one of said order terminals based on said
business, and the selection of a desired goods or services by a user of said order
terminal.